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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,385	12/10/2003	Bruno Centola	FR920030025US1	1384
24241	7590	09/16/2004	EXAMINER	
IBM MICROELECTRONICS INTELLECTUAL PROPERTY LAW 1000 RIVER STREET 972 E ESSEX JUNCTION, VT 05452			GUSHI, ROSS N	
			ART UNIT	PAPER NUMBER
			2833	
DATE MAILED: 09/16/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/707,385	<b>Applicant(s)</b> CENTOLA ET AL.	
	<b>Examiner</b> Ross N. Gushi	<b>Art Unit</b> 2833	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,9-13 and 16 is/are rejected.
- 7) ☒ Claim(s) 5,6,14 and 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in —

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a);

Claims 1-4 and 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Kecmer. Per claim 1, Kecmer discloses an apparatus for positioning a printed circuit board within an electronic chassis, the apparatus comprising: a lever 35a coupled to a first end of the printed circuit board 11, the lever being moveable between a first position and a second position to enable a connector 19 mounted on a second end of the printed circuit board to mate with a backplane connector 21 mounted on the electronic chassis; and a rod 33a having a first end coupled to the lever (at 37a) and a second end coupled to the printed circuit board (via wedge 29a).

Per claim 2, the lever further comprises a mechanical pivot joint including an upper cam and a lower cam (at 47a) to contact the electronic chassis when the lever is moved from the first position to the second position.

Per claim 3, the mechanical pivot joint, a rod pivot which couples the second

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end of the rod to the printed circuit board and lever pivot which couples the first end of the rod to the lever are arranged to latch the printed circuit board within the electronic chassis when the lever is in the second position.

Per claim 4, a holder 31a is coupled to a side of the printed circuit board and the second end of the rod is coupled to the holder.

attached to the backplane.

Per claim 9, the electronic chassis further comprises a backplane 17 onto which the backplane connector is attached.

Claims 10 and 11 are rejected for the reasons pertaining to claims 1-4 and 9.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kecmer as in claim 1-4 and 9. Regarding claims 12 and 13, the method for positioning the apparatus discussed regarding claims 1-4 and 9 would have been obvious.

Claims 7, 8, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kecmer as in claim 1-4, 9 and 12 in view of Good et al. ("Good"). Regarding claims 7, 8, and 16, Kecmer does not show the pin guide. Good discloses pin guide

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124 attached to the backplane and pin hole 122. At the time of the invention, it would have been obvious to a guiding pin and hole on the Kecmer apparatus as taught in Good. The suggestion or motivation for doing so would have been to ensure proper alignment of the connectors as taught in Good and as is well known in the art. The corresponding method would likewise have been obvious.

### ***Allowable Subject Matter***

Claims 5, 6, 14, and 15, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Regarding claim 5, the prior art does not suggest the apparatus (or corresponding method) as claimed, including the combination of all the claimed elements, the combination including that the lever further comprises a semicircular slotted guide that mechanically cooperates with a pin mounted on the holder to guide the movement of the lever. Regarding claim 6, the prior art does not suggest the apparatus (or corresponding method) as claimed, including the combination of all the claimed elements, the combination including a swell to contact the electronic chassis when the lever is moved from the second position to the first position during extraction.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ross Gushi whose telephone number is (571) 272-2005. If attempts to reach the examiner by phone are unsuccessful, the examiner's

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supervisor, Paula A. Bradley, can be reached at 571-272-2800 extension 33. The phone number for the Group's facsimile is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**ROSS GUSHI**  
**PRIMARY EXAMINER**

